



**BOARD OF COUNTY COMMISSIONERS
SHELBY COUNTY, TENNESSEE**

A G E N D A

APRIL 24, 2006

*Commissioner Tom Moss, Chairman
Commissioner Joe Ford, Chairman Pro Tempore
Commissioner Marilyn Loeffel
Commissioner George Flinn
Commissioner John Willingham
Commissioner Walter Bailey, Jr.
Commissioner Julian T. Bolton*

*Commissioner Deidre Malone
Commissioner Michael Hooks
Commissioner Cleo Kirk
Commissioner Joyce Avery
Commissioner David Lillard
Commissioner Bruce Thompson*

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Darren Williams

**INVOCATION Reverend Steve Shapard
Mullins United Methodist Church**

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

**MALONE April 10, 2006
ADOPTED**

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

**LOEFFEL 1. ORDINANCE – SECOND READING – An Ordinance to
APPROVED amend Chapter 28 of the Code of Shelby County to
provide for the disposal of tenant property discarded
onto county right-of-ways, easements or other property
owned or maintained by the county after an eviction.**

Zoning and Subdivisions

**LOEFFEL 2. Resolution approving various subdivision contracts,
ADOPTED plats, extensions, etc. as recommended by the County
(A-C) Engineer.**

Reports and/or Resolutions of Standing Committees

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| KIRK
(DEFERRED
TO 05/08/06) | 3. Resolution to abandon 164,298.72 square feet (3.77 acres) of excess roadway right-of-way formerly donated for Appling Road, and to authorize the mayor to execute a Quit Claim Deed releasing said roadway right-of-way to the adjoining landowner, Teransky, LLC. |
| KIRK
(DEFERRED
TO 05/08/06) | 4. Resolution to abandon 11,206 square feet (0.257 acres) of excess roadway right-of-way formerly donated for Wiseman Road, and to authorize the mayor to execute a Quit Claim Deed releasing said roadway right-of-way to the adjoining landowners, Ronald E. Savage and wife, Etta R. Savage, in consideration of the conveyance by Ronald E. Savage and wife, Etta R. Savage, to the County of Shelby of 443 square feet (0.010 acres) of new roadway right-of-way needed for the realignment of Wiseman Road. |
| KIRK
ADOPTED | 5. Resolution to convey two delinquent tax parcels to the City of Memphis for the use and benefit of the Division of Housing and Community Development for redevelopment in the Uptown Redevelopment Project. |
| LILLARD
ADOPTED | 6. Resolution authorizing Amendment No. 1 and Amendment No. 2 to Contract No. CA053717 with Buchart-Horn, Inc., for providing professional services for storm water inventory and data collection and county road inventory project, amending the FY 2005/2006 CIP Budget, and appropriating additional funds in the amount of \$35,000.00 from the FY 2005/2006 CIP Budget for CIP Project No. 100159, Storm Water Inventory and Data Collection and County Road Inventory Project. |
| LILLARD
ADOPTED | 7. Resolution authorizing Amendment No. 5 to Contract No. CA961933 with the Reaves Firm, Inc., for providing design services for Raines Road and appropriating additional funds in the amount of \$64,640.00 from the FY 2005/2006 CIP Budget for Project No. 100116, Raines Road. |
| LILLARD
ADOPTED | 8. Resolution authorizing Amendment Nos. 9 and 10 to Contract No. CA972096 with Parsons Transportation Group for additional professional services for the design of improvements to Houston Levee Road from the Wolf River to Macon Road, approving the agreement with Briarcrest Christian School, accepting funds in the amount of \$23,000.00 from Briarcrest Christian School, amending the FY 2005/2006 Budget for CIP Project No. 100129, Houston Levee Road, and appropriating funds in the amount of \$27,700.00 from the FY 2005/2006 Budget for CIP Project No. 100129, Houston Levee Road. |

LILLARD ADOPTED	9. Resolution authorizing the Shelby County Division of Public Works to apply for a Roadside Litter Grant.
BOLTON ADOPTED	10. Resolution to approve a subcontract between the Memphis and Shelby County Health Department and the University of Memphis to provide Community Prevention Initiative services for the period January 1, 2006 through June 30, 2006, in the amount of \$120,000.00.
BOLTON ADOPTED	11. Resolution to approve a subcontract between the Memphis and Shelby County Health Department and Frayser Millington Mental Health Clinic to provide Community Prevention Initiative services for the period January 1, 2006 through June 30, 2006, in the amount of \$120,000.00.
BOLTON ADOPTED	12. Resolution approving the contract between Shelby County Government and the Regional Medical Center in the amount of \$143,700.00 to provide emergency medical and psychiatric assessment and detoxification program services to indigent individuals.
BOLTON ADOPTED	13. Resolution to authorize the purchase of professional liability insurance for the registered nurses and nurse practitioners employed by the Memphis and Shelby County Health Department from Marsh Affinity Group Services through Illinois Union Insurance Company, for a one year period beginning February 28, 2006, at an annual cost of \$81,487.50.
THOMPSON (DEFERRED TO 05/08/06)	14. Resolution approving and authorizing the Shelby County Mayor to execute an Intergovernmental Agreement between the City of Lakeland and County of Shelby, Tennessee, in connection with Division Fourteen, General Sessions Court, for enforcement of city ordinances involving environmental violations.
THOMPSON ADOPTED	15. Resolution approving amendment to renew the Intergovernmental Agreement among Shelby County Government and participating cities for the provision of joint ambulance services within the unincorporated areas of Shelby County and the incorporated areas of the participating cities.
THOMPSON ADOPTED	16. Resolution increasing bond amount for Probate Court Public Administrator to \$500,000.00; extending term of bond to September 1, 2006; and authorizing the Shelby County Mayor and Division of Finance to pay the additional premium.

**THOMPSON
ADOPTED**

17. Resolution appropriating funds to purchase emergency vehicle equipment and accessories by Shelby County Government from Fleet Safety Equipment, Inc., in the amount of \$128,176.00 for the Sheriff's Office.

**THOMPSON
ADOPTED**

18. Resolution amending the FY 2005/2006 Operating Budget to reflect budget amendment approved by the Tennessee Commission on Children and Youth for current Juvenile Accountability Block Grant and to transfer funds between county organizations within the contract budget.

**FORD
ADOPTED**

CONSENT AGENDA

R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

Ordinances

Zoning and Subdivisions

**LOEFFEL
(DEFERRED
TO 05/22/06)**

19. **CASE NO. P.D. 05-375 CC**
APPLICANT: Vince Smith

LOCATION: North side of Old Brownsville Road;
+206 feet east of Brunswick Road

REQUEST: A residential planned development to
create 31 single family detached lots
(lot sizes range between 8,340 sq. ft.
and approx. 31,247 sq. ft.)

**Memphis and Shelby County Office of Planning and
Development recommendation:
APPROVAL WITH CONDITIONS**

**Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL WITH CONDITIONS**

**(Notice of public hearing published in the Daily News on
Thursday, April 13, 2006.)**

**LOEFFEL
ADOPTED**

- 20. CASE NO. P.D. 05-381 CC
APPLICANT: Ethridge Enterprises**

**LOCATION: West side of Houston Levee Road;
 +160 feet north of Woodland Hills
 Drive**

**REQUEST: Revise the boundaries separating
 Parcels 6A and 6B to permit
 commercial uses**

**Memphis and Shelby County Office of Planning and
Development recommendation:
 APPROVAL WITH CONDITIONS**

**Memphis and Shelby County Land Use Control Board
recommendation:
 APPROVAL WITH CONDITIONS**

**(Notice of public hearing published in the Daily News on
Thursday, April 13, 2006.)**

Reports and/or Resolutions for Standing Committees

**WILLINGHAM
FAILED**

- 21. Resolution approving agreement between the Election
Center and Shelby County, Tennessee, to review and
evaluate the election procedures and processes of
Shelby County, Tennessee, and transferring and
appropriating funds in the amount of \$156,560.00 from
Commissioner's Undesignated Contingency Funds for
this purpose.**

**BOLTON
ADOPTED**

- 22. Resolution to approve a subcontract between the
Memphis and Shelby County Health Department and
Girls, Inc., to provide Community Prevention Initiative
services for the period January 1, 2006 through June 30,
2006, in the amount of \$120,000.00.**

**BAILEY
(DEFERRED
TO 05/08/06)**

- 23. Resolution to (1) amend the CIP Budget for 2005-2006;
(2) appropriate \$3,000,000.00 to Shelby County Schools
for additions to and/or construction of permanent
school facilities in the southeast area of Shelby County
to relieve critical overcrowding of Schools in that area;
(3) amend the CIP budget and appropriating to Memphis
City Schools an additional sum of \$7,511,562.00 for the
critical capital needs of the Memphis City Schools; (4)
provide the Capital funding required under this
resolution upon enactment from funding internally
allocated within County Government for Year 3 under
the Joint School Funding Agreement without raising the
aggregate debt ceiling of County Government; and (5)
establish an internal reserve fund within County
Government which, over a three year period, will provide
a pay as you go funding mechanism for the amount
necessary to fund \$10,511,562.00 of the appropriation
required under Year 3 of the Joint School Funding
Agreement.**

**BOLTON
ADOPTED**

24. Resolution by the Board of County Commissioners of Shelby County, Tennessee, expressing support of Amendment No. 1 to Senate Bill No. 3513 and House Bill No. 3356, relative to incentives.

**BOLTON
(DEFERRED
TO 05/22/06)**

25. Resolution to rescind Item No. 21, adopted by the Board of County Commissioners of Shelby County, Tennessee, on January 24, 2005, and requesting the Shelby County Legislative Delegation to withdraw their support in the Tennessee General Assembly of a legislative bill entitled “An Act to Amend Tennessee Code Annotated, Title 67, Chapter 4, Part 5, relative to a tax on the privilege of recording transfers of realty”.

**BOLTON
(DEFERRED
TO 05/08/06)**

26. Resolution by the Board of County Commissioners of Shelby County, Tennessee, expressing support for SA 1160, an amendment to Senate Bill No. 1580, and House Bill No. 0197, relative to the Shelby County Board of Equalization.

**MALONE
ADOPTED**

- 26A. Resolution extending a moratorium on the acceptance of applications for planned developments and subdivisions involving residential construction and applications for administrative site plan review of multiple family dwellings in unincorporated Shelby County for a period of three months.

**FORD
ADOPTED**

- 26B. Resolution receiving and filing notice from the Senate of the State of Tennessee, of the voiding of the special election of September 15, 2005, for Senate District No. 29 and declaring a vacancy and setting Monday, May 22, 2006, as the date of the election of a successor to Senate District No. 29 and requesting the appropriate notices be given.

Announcements/Statements

Adjournment

**KIRK
ADOPTED**

27. Resolution of Adjournment to May 8, 2006, at 1:30 p.m.

AGENDA # 2
DATE APRIL 24, 2006

2A

SUBDIVISION: BUCKINGHAM FARMS P.D. PHASE 31, PART OF PARCELS D, F AND G (P.D. 95-310 CC)

DEVELOPER: BUCKINGHAM FARMS LLC

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO THE BUCKINGHAM FARMS P.D. PHASE 31, PART OF PARCELS D, F AND G (P.D. 95-310 CC) AND AUTHORIZE RECORDING OF THE PLAT

LOCATION: NORTH SIDE OF MEADOWVALE DRIVE, 3000 ± FEET NORTH OF SHELBY DRIVE

2B

SUBDIVISION: THE GREENS AT IRENE P.D., AMENDED, PHASE 4 (LAUREL TREE P.D.), (P.D. 03-318 CC)

DEVELOPER: LAUREL TREE LLC

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO THE GREENS AT IRENE P.D., AMENDED, PHASE 4 (LAUREL TREE P.D.), (P.D. 03-318 CC)

LOCATION: EAST SIDE OF HACKS CROSS ROAD; ±2,800 FEET SOUTH OF EAST SHELBY DRIVE

2C

SUBDIVISION: STONEBRIAR PD, PHASE 5, AREAS 7 AND 3 (P.D. 03-355 CC)

DEVELOPER: LAND SOLUTIONS LLC

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 5, AREA 7 AND 3 (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: 200 ± FEET SOUTH OF EASTERLY LANE AT MEADOWBRIAR TRAIL